




STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC SAFETY

1111 Country Club Road
P.O. Box 2794
Middletown, CT 06457-9294

TO: All Department of Public Safety Employees
FROM: Commissioner Leonard C. Boyle 
DATE: March 30, 2005
SUBJECT: 2004 Department of Public Safety Affirmative Action Plan

This document contains a summary of relevant information from the Department's approved Affirmative Action Plan for the reporting period of June 1, 2003 through May 31, 2004. The Affirmative Action Plan is submitted annually to the Commission on Human Rights & Opportunities on or by September 30th of any given year. The Department's Affirmative Action Plan was approved on December 9, 2004. In accordance with section 46-68-34 of the Administrative Regulations on Affirmative Action, all DPS employees have a right to review and comment on this information. All comments should be addressed to:

Ms. Barbara J. Lynch
Affirmative Action Administrator
1111 Country Club Road
P.O. Box 2794
Middletown, CT 06457
Telephone: (860) 685-8010

This document is to be posted on all bulletin boards throughout all Department of Public Safety work sites. Also, it will be located on the DPS website at www.state.ct.us/dps.



DEPARTMENT OF PUBLIC SAFETY

SUMMARY OF THE RECENTLY APPROVED AFFIRMATIVE ACTION PLAN FOR THE REPORTING PERIOD OF JUNE 1, 2003 - MAY 31, 2004

(APPROVED 12/9/2004)

COMMISSIONER LEONARD C. BOYLE

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC SAFETY

1111 Country Club Road
P.O. Box 2794
Middletown , CT 06457-9294

EQUAL OPPORTUNITY POLICY STATEMENT

The Department of Public Safety will ensure that no person be discriminated against or be denied the benefits of any activity, program or employment process receiving public funds, in whole or in part on the basis of the factors mentioned below. This protection includes the areas of recruiting, advertising, hiring, upgrading, promoting, transferring, demoting, layoffs, terminations, rehiring, rates of pay, benefits, discipline and service ratings. This also includes the Department of Public Safety's Contract Compliance Program.

It is the policy of the Department of Public Safety to implement the principles of equal opportunity and affirmative action by providing employment and advancement opportunities solely on the basis of job-related skills, ability and potential. Specifically not related to employment and advancement opportunities are such factors as race, color, religious creed, age, gender, genetic information, marital status, national origin, ancestry, mental retardation, physical disability, including but not limited to blindness, learning disability, sexual orientation, present or past history of mental disorder, or prior conviction of a crime, unless the provisions of Sections 46a-60(b), 46a-80(b), 46a-81c of the Connecticut General Statutes are controlling or if there is a bona fide occupational qualification excluding persons in one of the above protected groups. Equal Employment Opportunity is the purpose and goal of Affirmative Action under Sections 46a-68j-21 through 46a-68j-43. The basis of this policy for equal employment opportunity is not only because it is the law, but also because it is an essential part of the philosophy of this Department.

"Affirmative Action" means positive action to achieve the full and fair participation of any protected group found to be underutilized in the workforce or affected by policies or practices having an adverse impact. The purpose of affirmative action is to secure the full and fair utilization of protected groups in the workforce, and the need for such action is measured by any lack of such utilization. The Department recognized the need to remedy the hiring difficulties experienced by the physically disabled and by many older persons. To this end, program goals for past discrimination, if any, have been established and are described in the Program Goals Section 46a-68-44 of the Affirmative Action Plan.

The employment process consists of advertising/recruiting, testing, selection and appointment. The role of affirmative action in the advertising/recruiting step is to create the largest pool of qualified applicants by expending sufficient resources and exercising creativity to reach likely sources of applicants from protected groups. The role of affirmative action in the testing step is to work with state personnel to insure that all testing procedures are free of adverse impact. The role of affirmative action in the remainder of the process including promotion, transfer,

discipline, compensation, benefits, and layoffs, is to secure the full and fair utilization of protected groups.

Affirmative action and equal employment opportunity are at all times immediate and necessary agency objectives. This agency hereby pledges to affirmatively provide services and programs in a fair and impartial manner. It is the goal of this agency to ultimately achieve full utilization of minorities, women, older persons, the physically disabled and other protected classes within the Department's workforce.


The current list of all federal and state constitutional provisions, laws, regulations, guidelines and executive orders that prohibit or outlaw discrimination as provided by the

State of Connecticut Commission on Human Rights and Opportunities is included. Those documents identify women, minorities, disabled persons, elderly persons and all other protected groups.

I direct all supervisory personnel and staff to adhere to this policy and to familiarize themselves with the Department of Public Safety's Affirmative Action Plan.

In order to satisfy these lawful obligations the Department of Public Safety maintains an Affirmative Action Office. The Affirmative Action Administrator is Ms. Barbara J. Lynch. Ms. Lynch is located at 1111 Country Club Road, Middletown, CT 06457 and can be reached at (860) 685-8010.

As the Commissioner and the Appointing Authority of the Department of Public Safety, I am committed to achieving the goals within the timetables set forth in this plan.


Leonard C. Boyle
Commissioner
Department of Public Safety

September 9, 2004
Date



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC SAFETY

1111 Country Club Road
P.O. Box 2794
Middletown, CT 06457-9294

SEXUAL HARASSMENT POLICY STATEMENT

It is the policy of the Department of Public Safety to provide its employees with a workplace that is free of sexual harassment. Regardless of whether the conduct results from maliciousness, thoughtlessness, or misguided good will, sexual harassment in the workplace is unacceptable and will not be tolerated. Violations of this policy will be treated as serious disciplinary infractions.

Any employee who believes that he or she is a victim of any form of illegal discrimination, including sexual harassment, or any employee who witnesses or has knowledge of such impermissible conduct is urged to report it through the internal grievance procedure set forth in Section 4.1.4 of the Administration & Operations Manual. An investigation will be conducted promptly and appropriate action will be taken to remedy the problem. The Department of Public Safety will take reasonable and appropriate action to protect employees who report illegal discrimination, including sexual harassment, from retaliation.

Definition of Sexual Harassment

The term "sexual harassment" refers to any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature where: (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (b) submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting such individual; or (c) such conduct is so severe or pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of Sexually Harassing Conduct

Although not exhaustive, the following are examples of conduct that may constitute sexual harassment:

1. Engaging in sexual flirtation, touching, advance or proposition.
2. Verbal abuse of a sexual nature.
3. Making graphic or suggestive comments about an individual's dress or physical appearance.
4. Using sexually degrading words to describe an individual.
5. Displaying sexually suggestive objects or materials, such as sexually explicit photographs or drawings.
6. Making a comment or spreading a rumor which embarrasses, ridicules or demeans a person because of the individual's gender or sexual orientation.
7. Threatening or insinuating, either explicitly or implicitly, that an employee's refusal to submit to sexual advances shall adversely affect the employee's continued employment, performance evaluation, wages, advancement, assigned duties, or any other privilege or condition of employment.

Employee Responsibilities

1. Each employee shall refrain from engaging in any activity or behavior which may constitute sexual harassment.
2. Any employee who believes that he or she has been subjected to sexually harassing conduct should immediately complain to his or her department head or to the Affirmative Action Administrator in accordance with the grievance procedure set forth in Section 4.1.4 of the Administration & Operations Manual.
3. Any employee who witnesses sexually harassing conduct, or who becomes aware that another employee has been subjected to sexual harassment, is urged to immediately report the harassment to his or her department head or to the Affirmative Action Administrator.
4. No employee shall retaliate against another employee for complaining about or reporting sexually harassing conduct, or for participating in any internal or external investigation of such conduct.


Management Responsibilities

The Department of Public Safety's, Affirmative Action Administrator, and its managers and supervisors shall make reasonable efforts to ensure that every work site is free of sexual harassment. These efforts shall include, but shall not be limited to:

1. Implementing preventive measures, including complying with the training and informational posting requirements of the Commission on Human Rights and Opportunities set forth in Section 46a-54-200 through 46a-54-207 of the Regulations of Connecticut State Agencies.
2. Monitoring working conditions to detect sexually harassing conduct.
3. Conducting a prompt and thorough investigation of each complaint or report received, and communicating the results of the investigation to the employee who was allegedly subjected to harassment.
4. Carrying out expeditious remedial measures reasonably calculated to prevent and correct any sexually harassing conduct which has occurred.

Questions, concerns, or complaints regarding sexual harassment may be forwarded to Ms. Barbara J. Lynch, Affirmative Action Administrator, 1111 Country Club Road, Middletown, CT 06457. The telephone numbers are (860) 685-8051 or (860) 685-8010.

September 2, 2004
Date


Leonard C. Boyle
Commissioner
Department of Public Safety



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DEPARTMENT OF PUBLIC SAFETY

1111 Country Club Road
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AMERICANS WITH DISABILITIES ACT

The Department of Public Safety is committed to its obligations, as an employer, under the Americans with Disabilities Act of 1990 (ADA), the Rehabilitation Act of 1973, as amended, and applicable State Disability and Discrimination Constitutional provisions and statutes.

The Department of Public Safety does not discriminate on the basis of disability in:


- 1) admission to, access to, or operation of its public programs, services, or activities
- 2) in its hiring or employment practices.

An individual with a disability is any person who (1) has a physical or mental impairment which substantially limits one or more of that person's major life activities, (2) has a record of such an impairment, (3) is regarded as having such an impairment, or (4) falls within one or more of the disabling conditions protected by the state constitution and statutes.

Questions, concerns, complaints, or requests for additional information regarding the ADA maybe forwarded to the ADA Compliance Coordinator, Ms. Barbara J. Lynch, Affirmative Action Administrator, 1111 Country Club Road, Middletown, CT 06457.

Individuals who need auxiliary aids for effective communication in programs and services of the Department of Public Safety are invited to make their needs known to the ADA Compliance Coordinator.

September 2, 2004
Date


Leonard C. Boyle
Commissioner
Department of Public Safety

/jw2003



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AIDS POLICY

PURPOSE

The purpose of this policy is to provide guidance to the Department of Public Safety employees in dealing with work situations involving employees who have, or are perceived to be at risk of acquiring, any of the following:

- Acquired Immune Deficiency Syndrome (AIDS)
- AIDS Related Complex (ARC)
- Human Immunodeficiency Virus (HIV) Infection or a related condition

The term "AIDS" as used in this policy, should be understood as encompassing all of the above.

NON-DISCRIMINATION

The Department of Public Safety recognizes its obligation to provide a safe and healthy work environment and to assure fair, non-discriminatory treatment of all employees. Therefore, it is the policy of the agency that individuals with AIDS will be treated with the same compassion and consideration given to any other employee with a health problem. No person will be treated differently in the workplace as a result of having or being perceived as having AIDS.

Present or prospective employees will not be tested for the presence of the AIDS virus for the purpose of assessing their ability to be employed or continued employability by the Department of Public Safety.

INFORMATION AND EDUCATION

Efforts will be made to offer to all Department of Public Safety employees information about AIDS which is comprehensive, factual, understandable, direct, age and group appropriate, culturally sensitive and linguistically appropriate. Other AIDS education will be provided to Department of Public Safety employees as appropriate. This information and education will be designed to reduce prejudice and discrimination against persons with or perceived to have AIDS. It will also assist employees to lower their personal risk of becoming infected with the AIDS virus.

AIDS POLICY

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It is important to remember that, according to the U.S. Center for Disease Control, there is little risk of an individual becoming infected with AIDS in a workplace such as the Department of Public Safety. Thus, the Department of Public Safety employees are expected to work with co-workers and any other individuals who have AIDS. Managers and supervisors should be sensitive to employee concerns about the transmission of AIDS in the workplace and assist in informing and educating employees about the methods of transmission. However, Department of Public Safety employees who still have unwarranted fears of exposure to the virus in the workplace will not be allowed to refuse to work with anyone with AIDS.

A Department of Public Safety employee with AIDS can continue to work as long as he or she can perform job duties satisfactorily. Managers and supervisors will make reasonable accommodations in job assignments to the employee's medical condition and, with the employee's permission, inform the Commissioner of the Department of Public Safety or his designee in a confidential manner of any such arrangements.

CONFIDENTIALITY

The identity of the Department of Public Safety employees with AIDS will remain **confidential**.

If any AIDS-related information (such as HIV counseling and testing or AIDS-related medical information, records or diagnosis) about a Department of Public Safety employee is received at the Department of Public Safety, such information will be maintained by the Department of Public Safety's EAP Unit in a locked file cabinet, apart from the employee's personnel file.

Disclosure of such information will be made only in accordance with the provisions of Chapter 368x of the Connecticut General Statutes. Any unauthorized disclosure of such information by any Department of Public Safety employee will result in appropriate disciplinary action.

This policy is intended to be consistent with the Connecticut AIDS Testing and Confidentiality Law of 1989.

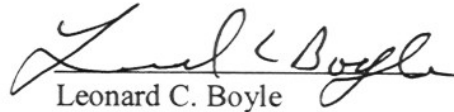
AIDS POLICY

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CONTACT PERSON

The Commanding Officer of the EAP Unit is designated as the contact person in the agency for all questions concerning this AIDS policy.

September 2, 2004
Date


Leonard C. Boyle
Commissioner
Department of Public Safety

DEPARTMENT OF PUBLIC SAFETY

DISCRIMINATION COMPLAINT PROCEDURE

1. Purpose and Scope

An internal grievance procedure has been established by the Department of Public Safety to investigate, process and resolve complaints of discrimination. This procedure was developed to process discrimination complaints in the areas of race, color, religion, creed, age, gender, marital status, national origin, ancestry, mental retardation, physical disability, including but not limited to blindness, learning disabilities, sexual harassment, sexual orientation, present or past history of mental disorder and prior conviction of a crime, unless the provisions of Sections 46a-60 (b), 46a-80(b) or 46a-81(b) of the Connecticut General Statutes are controlling or there is a bona fide occupational qualification excluding persons in one of the above protected groups. All complaints of discrimination may be submitted in writing to the Commissioner of Public Safety at 1111 Country Club Road, Middletown, CT 06457. A Departmental Complaint Form (attached) can be obtained by calling the Affirmative Action Office.

2. Protection of Rights

It is the policy of the Department that no employees will be retaliated against by any supervisor or other employee, in reaction to the filing of a complaint. Thus, employees will be protected to ensure that filing a complaint in no way adversely affects their status or prospects for future employment or promotion. However, if anyone knowingly files a false complaint appropriate personnel action and/or criminal action may result.

3. Complaint Process

The Affirmative Action Officer is available to all employees for confidential counseling.

All complaints of discrimination may be filed with the Commissioner in writing. Complainants may request the Affirmative Action Officer's assistance in completing the Department's complaint form. Complaints of discrimination may also be referred by supervisors who received complaints from employees. Complaints shall be filed within forty-five (45) day so the date when the alleged discrimination occurred. Employees will be given time during the work day to file a complaint of discrimination with the Affirmative Action Officer.

The complainant shall be given a copy of these grievance procedures and counseled by the Affirmative Action Officer on the alternative avenues of redress

available through state and federal enforcement agencies and the time frames within which to file a complaint.

This complaint procedure is not intended to preclude the complainant from simultaneously pursuing the alternative avenues of redress.

The Affirmative Action Officer will explain these procedures and answer any questions. All complaints will be recorded on the Department of Public Safety's "Discrimination Complaint Form" and must be signed and sworn to by the complainant, in the presence of either, a Notary Public, an Attorney or the Affirmative Action Officer.

Upon receipt of a discrimination complaint, the Affirmative Action Officer will counsel the complainant and attempt to achieve a satisfactory resolution informally within five (5) normal work days. If the complaint is not resolved satisfactorily, the Commissioner will be notified so that a prompt and thorough investigation will be conducted, calling upon such department resources as appropriate, including when necessary, the Affirmative Action Officer. The results of the investigation shall be reported to the Commissioner's office within thirty (30) days if reasonably possible. At no time will this procedure exceed ninety (90) days.

The Commissioner or his designee will promptly review the report and take whatever action, if any, is appropriate. The Affirmative Action Officer shall notify the complainant of the finding(s) with regard to each allegation within 10 days after the end of the investigation. The complainant may either accept this decision or pursue other avenues.

Upon receipt of that notice the complainant may obtain by written request addressed to the Commissioner's Office a personal meeting with the Commissioner and such other persons as the Commissioner deems appropriate.

The Affirmative Action Officer shall advise the complainant and the respondent to report any retaliatory actions allegedly taken during or after the complaint process.

Allegations of discrimination reported to other agencies, such as CHRO, will be investigated by the Affirmative Action Office or such other Department personnel as the Commissioner may direct. The Department and the Affirmative Action Officer will cooperate with any independent investigation by a federally or state-authorized agency.

4. Record Maintenance

The Affirmative Action Officer shall make provisions to maintain all records of complaints and their disposition, keep records of the grievance process

confidential, and examine these records at least annually to determine if there are any patterns in the nature of the complaints.

All records relevant to employee grievances filed under this section shall be available to the Commission on Human Rights and Opportunities.

5. Training

The agency shall provide periodic training in counseling and grievance investigation procedures for agency counselors.

Optional Complaint Procedures

An individual has the right to file his or her complaint of discrimination with any or all of the relevant agencies listed below. The individual can also simultaneously avail himself or herself of the Department of Public Safety's internal complaint process.

*1. Commission on Human Rights and Opportunities
Capitol Region
1229 Albany Avenue
Hartford, CT 06112 Telephone # 860-566-7710

Eastern Region
100 Broadway
Norwich, CT 06360 Telephone # 860-886-5703

West Central Region
50 Linden Street
Waterbury, CT 06702 Telephone # 203-596-4237

Southwest Region
1057 Broad Street
Bridgeport, CT 06604 Telephone # 203-579-6246

(CHRO is an EEOC deferral agency)

2. Equal Employment Opportunity Commission
Boston Regional Office
Boston, MA 02114 Telephone # 1-800-669-4000

3. Permanent Commission on the Status of Women
18-20 Trinity Street
Hartford, CT 06106 Telephone # 860-240-8300

4. Minimum Wage Division Connecticut Labor Department
200 Folly Brook Boulevard
Wethersfield, CT 06109 Telephone # 860- 566-3450
5. Wage and Hour Division
United States Labor Department
135 High Street
Hartford, CT 06103 Telephone # 860-240-4160

*These agencies accept discrimination complaints up to one hundred eighty (180) days after the date(s) of the alleged act(s) of discrimination or the date(s) that the Complainant became aware of the alleged discriminatory act(s).

DISCRIMINATION COMPLAINT FORM

Complainant

Name _____

Unit _____

Job Classification _____

**Person(s) alleged to have
Discriminated (respondent)**

Name _____

Unit _____

Job Classification _____

Date (or dates) of alleged discriminatory act
_____**Nature of Complaint:****(attach additional pages if necessary)****I hereby swear that the foregoing facts and information are true and correct to the best of my knowledge and belief.****I have also been advised of other avenues of legal redress open to me.**_____
Date**ACCEPTANCE OF COMPLAINT
FOR INVESTIGATION**_____
Complainant's Signature_____
**SIGNATURE OF AFFIRMATIVE
ACTION OFFICER**

PROGRAM GOALS AND TIMETABLES

The following Program Goals and Timetables were established and submitted in the approved Affirmative Action Plan. These Program Goals and Timetables have been developed and implemented.

1. Recruitment Practice (Non-Sworn): The Equal Opportunity Unit will re-establish its efforts in monitoring the Department's recruitment, interviewing and hiring methods throughout the reporting period.
2. Recruitment Practice (Sworn): The Equal Opportunity Unit will monitor and critique all sworn lateral transfers (i.e., specialized units, troops and special assignments). An Applicant Flow Chart will be utilized to demonstrate good faith effort. Any interviews conducted for specialized units and special assignments, the Equal Opportunity Unit will monitor. This goal is re-established. As a result of the Equal Opportunity Unit monitoring efforts, the transfer do indicate diversity in its applicant pool and selection process.
3. The Equal Opportunity Unit critiques and monitors the Department's (Non-Sworn) interview/selection process. The Equal Opportunity Unit monitors the hiring of non-sworn positions closely through the Applicant Flow Chart. The Applicant Flow Chart is required and approved by the Equal Opportunity Unit before the hiring of a candidate can be completed. A member of the Equal Opportunity Unit is always present at the interviews. After the Equal Opportunity Unit evaluates the flow chart, recommendations can be made, if necessary to the hiring supervisor.
4. The Department re-established the goal to monitor the employee's reason(s) for termination/resignation. The Equal Opportunity Unit created and implemented a detailed Exit Interview Form that is mailed to all employees who resigned, transferred to another agency or were terminated. This information is reviewed to determine if a supervisor or manager has engaged in any pattern of discriminatory practices.

INNOVATIVE PROGRAMS

The following Innovative Programs activities were submitted in the approved Affirmative Action Plan. These Innovative Programs have been developed and are implemented.

1. Summer Worker Program: Annually the Department of Public Safety hires summer workers. The purpose of this is to provide employment to young people during the summer months and to expose them to various career opportunities within the agency. Due to budget constraints, the Department of Public Safety was not authorized to fill any positions during this reporting period.
2. Internship Program: The Department participates in the Cooperative Education Intern Program, whereby, second, third and fourth year college students or graduate students are hired for a six-month structured internship in the field of their academic major. All interns receive academic credit. Selections are made by the supervisor of the unit that utilizes the intern and are monitored by the Personnel Unit. It must be noted that candidates applying for internship programs do so through their college, which must have an existing program. The composition of the race/gender mix is determined by the incentives of the individual students themselves. During this reporting period, 21WM and 5 WF, IBM, 1 HM and 1 HF were hired as interns. Pursuant to the CHRO recommendation dated June 24, 1997, the Equal Opportunity Unit will be contacting minority student organizations and clubs at the local colleges and universities to recruit a diverse applicant pool for interns for this agency.
3. Light Duty Program: The Department's Employee Assistance Program has developed a formalized, voluntary, Light Duty Program for sworn personnel as negotiated in the State Police contract. Since the Department has a high degree of Worker's Compensation injuries in the Protective Services' sworn classes, the program was established to provide alternative employment for employees whose injuries or illnesses prevent them from returning to full State Police responsibilities. Based upon a medical report, an employee can apply for a light duty assignment and in view of agency need; the employee is reassigned. The race/gender composition depends solely upon the number of employees who voluntarily request light duty and whose condition can justify such reassignment. During this period the composition of the light duty roster were 12WM and SWF.

4. Auxiliary Trooper Program: The Department sponsors an Auxiliary Trooper volunteer program. Through this program volunteers are trained by the Troop to assist in patrol, aid motorist, direct traffic, assist in emergencies at crime scenes, and assist in radio dispatching. There are 13 Auxiliary Units, one at each Troop location and one located at the Department of Public Safety Headquarters. Participants in this program are trained in police activities, which can lead to securing paid employment with this Department or other law enforcement agencies.
5. Public Safety Programs: Among the functions of the Department's Safety Education Unit are publishing and disseminating safety literature. Such literature is distributed at the many functions and activities that the Department attends in an official capacity. Every attempt is made to include protected class members in photographs; which appear in this literature, as well as among the individuals who attend these activities. Both of these serve as effective visual statements of the agency's commitment to its Affirmative Action program.
6. Orientation Program: The Equal Opportunity Unit developed and designed this Program, all new employees go through this program on their first day of hire. The new hires are given all of the necessary policies of the Agency. The mandated Diversity Training is also apart of this program.

Some of the activities that are examples of the described programs are:

- a. The "Convincer" (a mechanical device which demonstrates the value of seat belts in a controlled "crash" situation) was demonstrated 115 times during this reporting period. Sworn members of the Department, who have been trained to demonstrate this mechanical device, operate the "Convincer". The race/gender breakdown of those individuals who operated the "Convincer" was 7WM, 2BM, and 1 HM.
- b. The DARE program is presented to children and young adults from kindergarten to 12th grade. The DARE program is implemented in 150 towns out of 169 towns in the State of Connecticut. This amounts to 686 schools and 68,943 students. DARE also has a component to the program which includes the parents of the children who participate. During this filing period there were approximately 220 parents that participated in the Parent Program, which provides comprehensive family support.